

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**V.**

## TRINA WELLS,

**Defendant.**

**CASE NO. 8:04CR474**

# MEMORANDUM AND ORDER

This matter is before the court on the Defendant's Response to the Court's Show Cause Order. (Filing No. 69). In the Defendant's response, she states that she failed to respond to the court's February 14, 2007, Order because she did not receive a copy of the Order. Wells further states that she had no knowledge of any hearing on February 14, 2007. It appears that Wells is confused, however, as the court did not schedule a hearing in this case. Instead, the court ordered Wells to file with the court a signed Affidavit under penalty of perjury pursuant to 28 U.S.C. § 1746 responding to each statement made in the Affidavit of Karen M. Shanahan (Filing No. 67-2). Because Wells has shown good cause for failing to file the requested Affidavit, the court will give Wells an additional thirty (30) days to file the requested Affidavit. If the defendant does not respond to this Order, the Court may decide the Defendant's Motion under 28 U.S.C. § 2255 to Vacate, Set Aside or Correct Sentence by a person in Federal Custody based on the record currently before the Court.

IT IS ORDERED:

1. On or before **July 5, 2007**, the Defendant shall file with the court a signed Affidavit under penalty of perjury pursuant to 28 U.S.C. § 1746 responding to each statement made in the Affidavit of Karen M. Shanahan (Filing No. 67-2);
2. The United States may admit or deny the correctness of the Defendant's Affidavit on or before **July 19, 2007**; and
3. The Clerk of Court is directed to send a copy of this Memorandum and Order and Filing No. 67-2 to the Defendant at her last known address as shown in her Response (Filing No. 70).

DATED this 5<sup>th</sup> day of June, 2007.

BY THE COURT:

s/Laurie Smith Camp  
United States District Judge